

**TIGARD WATER DISTRICT
BOARD OF COMMISSIONERS**

Serving the Unincorporated Area

**Tigard Water Building Auditorium
8777 SW Burnham Street, Tigard, Oregon**

**Monday, August 20, 2007
8:00 a.m.**

Members Present: Julie Russell, Bert Cornick, Ken Henschel, Kinton Fowler,
and Charles Radley
Members Absent: None
Staff Present: John Goodrich and Joy Koss
Visitors: Eileen Eakins, Barbara Sherman and Isador W. Morgavi

1. Call to Order, Roll Call and Introductions

The Tigard Water District (TWD) meeting was called to order by Commissioner Radley at 8:02 a.m. All board members were present.

2. Recess Special Meeting and Convene Executive Session

Executive Session – Real Property Transactions, Exempt Public Records and Pending Litigation

Commissioner Radley recessed the special meeting and announced the board was going into executive session under ORS 192.660(2) (e), (f) and (h). The executive session was convened at 8:04 a.m. Mr. Goodrich and Ms. Koss did not participate.

The board concluded executive session at 10:01 a.m.

3. Reconvene Special Meeting and Consider Matters From Executive Session, if any

Commissioner Radley reconvened the Special Meeting at 10:02 a.m.

Commissioner Henschel made a motion to authorize attorney Eileen Eakins to proceed with filing a legal action challenging the validity of the public meeting of the Tigard Water District held on June 25, 2007. Commissioner Fowler seconded the motion. Both Commissioner Russell and Commissioner Henschel attended the June 25, 2007 meeting. Commissioner Russell commented that the previous TWD board moved forward against the advice of their attorney. Commissioner Henschel further stated that all public entities need to follow the law. Hearing no other comments, Chair Radley called for a vote. The motion was approved by unanimous vote, with Commissioners Russell, Cornick, Henschel, Fowler and Radley voting yes.

Chair Radley made a request to have Mr. Goodrich disperse a check for a deposit of \$1,000 to be made payable to the Law Offices of Eileen Eakins, LLC.

4. Consider Commissioner Travel Expenses

Chair Radley asked Mr. Goodrich to process a \$75 bill from the Special Districts Association of Oregon for Commissioner Henschel to attend board training in Newport.

Commissioners Russell and Fowler traveled to the Special Districts training in Salem and Commissioner Russell inquired about the process to be reimbursed for mileage. Mr. Goodrich responded reimbursement would be handled through TWD by submitting a request to the board. The TWD board would need to approve it and, after approved, Mr. Goodrich would process a check request. In response to Commissioner Russell's question about the amount, Mr. Goodrich stated the City of Tigard is currently using 48.5 cents per mile. Chair Radley commented that the TWD Board has been operating under the City of Tigard's financial rules as a convenience.

5. Non-agenda Items, if any

Mr. Goodrich asked the TWD board to send all future correspondence to the City of Tigard directly to him. Mr. Goodrich announced he has been designated contact person and provided the board with his e-mail address.

Chair Radley commented it appears the City of Tigard is going to continue supporting the TWD board for a while longer, at least for the August 27, 2007 meeting. Mr. Goodrich confirmed that was correct and that he will provide meeting support until the City of Tigard no longer provides that service.

Commissioner Henschel inquired about the pending request for the City of Tigard to provide the TWD board with a detailed task list of those items that are considered to be "staff support." Chair Radley indicated that topic is on the agenda for the next meeting and that is one of the questions being handled at the attorney level (between Clark Balfour and Tim Ramis). Commissioner Henschel indicated it would be useful to have that information prior to the next meeting.

6. Adjournment

Commissioner Fowler made a motion to adjourn and Commissioner Russell seconded the motion. In response to a question asked by visitor Isador W. Morgavi, Chair Radley responded the board would not be hearing public comments at this meeting. Commissioner Henschel asked Chair Radley if a "Public Comments" item was on the agenda. Commissioner Henschel said the board typically did not hear public comments during Special Meetings. Commissioners Radley, Russell, Cornick, Henschel and Fowler voted in favor of adjourning the meeting. Hearing no objections, Chair Radley adjourned the meeting at 10:13 a.m.



Joy Koss, TWD Recorder

Date: 9/10/2007